

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

CR. NO. S-04-0445 MCE GGH

vs.

JOACHIM BENZ,

Defendant.

ORDER

The Ninth Circuit affirmed in part and reversed in part the district court's decision in this case. United States v. Benz, 472 F.3d 65 (9th Cir. 2006). A remand was ordered concerning a faulty plea colloquy. In accordance therewith, counsel for the parties shall appear before the undersigned, and defendant shall personally appear, for further proceedings on February 5, 2007 at 9:00 a.m. If a motion for rehearing was timely filed with the Ninth Circuit, the parties shall communicate that fact to the court, and this hearing will be rescheduled.

DATED: 1/26/07

/s/ Gregory G. Hollows

GREGORY G. HOLLOWS
UNITED STATES MAGISTRATE JUDGE

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